Kispiox Timber Supply Area
Timber Supply Review

Summary of Public Input

BC Ministry of Forests

Mailing Address
Kispiox Forest District
Bag 5000
Smithers, BC V0J 2N0

Office Location
2210 West Highway 62
Hazelton, BC

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This is a summary of the public input received on the Timber Supply Review in the Kispiox Timber Supply Area. This summary does not assess the feasibility or validity of the input or whether it relates to the clearly defined mandate of the chief forester in the allowable annual cut determination.

Kispiox Timber Supply Area

Background

As part of the review of timber supply in the Kispiox Timber Supply Area (TSA), two opportunities were provided for public input. The first followed release of the Kispiox TSA *Data Package* and *Information Report* in October 2000. The *Information Report* was a non-technical summary of the draft data and management assumptions that were to be applied in reviewing the timber supply for the Kispiox TSA. A 30-day review period, ending November 20, 2000, was provided for the public to comment on these documents.

On May 2, 2002, the British Columbia Forest Service released the *2002 Kispiox Timber Supply Area Analysis Report* and *Public Discussion Paper*. The public was encouraged to review and comment on the accuracy of the information in these documents and to provide additional information during the 45-day review period that ended June 17, 2002.

This report summarizes the input received during both public review periods. This information was provided to the chief forester for his consideration when he reviewed the allowable annual cut (AAC) for the Kispiox TSA. The first section of this summary outlines the public review process implemented by the Forest Service, and describes the types of public input received. The second section summarizes the public input in sufficient detail to indicate the range of input received. The original submissions (with personal identifiers removed in accordance with the *Freedom of Information and Protection of Privacy Act*) can be reviewed at the Kispiox Forest District office in Hazelton.

Public Review Process and Response

Staff from the Kispiox Forest District actively solicited public input on the Timber Supply Review in the Kispiox TSA through the following actions:

- 12 copies of the Data Package, Information Report, Analysis Report and Public Discussion Paper were mailed to licensees and MLAs.
- 280 letters were sent to stakeholders in the TSA, including First Nations, licensees, local governments and environmental groups, advising of the availability of the documents for review.
- the Data Package and Analysis Report were available at the district office in Hazelton and the regional office in Smithers.
- newspaper advertisements were placed, advising of the availability of all documents for review by the public.
- copies of the Public Discussion Paper were made available to the local media, along with a press release.
- referrals were made to the Ministry of Forests website where documents were available to download.
- on June 4, 2002, a presentation was made in Hazelton to eight people from the Gitxsan Treaty Office, at their request.

The forest district and regional offices received four written submissions on the *Data Package* and seven submissions on the *Analysis Report* (see Appendix 1).

Public Input

In this section, public input on the information presented in the Timber Supply Review documents for the Kispiox TSA is summarized under the following headings:

- Data Package (and Information Report)
- Timber Supply Area Analysis Report
- Other comments

Data Package

Environmentally Sensitive Areas

Three forest industry submissions say the 95 per cent netdown for potentially unstable terrain is high and does not reflect current management practices. They make the following points:

- these sites are largely maintained within gross cutblock areas and are harvested in full or in part without environmental impact. Cable or aerial harvesting is also suggested for this terrain.
- these sites may also be used for Wildlife Tree Patches (WTPs), leading to a possible duplication in netdowns.

Bell Pole says they have completed terrain stability mapping in three operating areas, and a review of current management in those areas suggests a five per cent netdown factor may be more appropriate. The company says further reductions are covered by other constraints or assumptions (operability, forest cover, WTPs, riparian areas, etc.).

Low Sites and Unmerchantable Types

The submission from Skeena Cellulose Inc.-Carnaby (SCI-Carnaby) says areas of low stocking that are removed from the timber harvesting land base must still be eligible to contribute to old-growth requirements.

The submission from Skeena Cellulose Inc.–Terrace (SCI-Terrace) recommends that the minimum volume threshold that defines low productivity sites should be modified to include a minimum piece size.

Roads, Trails and Landings (RTLs)

An individual submission notes that roads are deactivated regularly when they could be used by other interests (e.g., mushroom harvesters, prospectors), possibly with a fee imposed to offset construction and maintenance costs.

The three forest industry submissions all express concern about the assumptions and netdowns used for RTLs, particularly for future RTLs. The following points are made:

- how was the preliminary estimate of 7.3 per cent derived? Other TSAs have used a netdown of six per cent.
- the fact that landing sizes have been decreasing needs to be described and accounted for.
- the 10-metre width used for other trails/roads needs to be reviewed.
- it's unclear how reductions are applied in community watersheds and special management zones, for existing versus future RTLs.
- how are existing out-of-block roads, which will over time be included as in-block roads, dealt with?
- since the basic road infrastructure of the TSA is in place, secondary roads should be removed from the current RTL netdown.

Expected Rate of Growth

SCI-Terrace says estimates of site productivity appear to be very low. The company says the fact that studies in the Kalum TSA have resulted in massive increases in site productivity for hemlock- and balsam-leading stands should be analyzed.

Bell Pole and SCI-Carnaby question how operational adjustment factors (OAFs) were determined. Bell Pole says small unproductive areas within stands (accounted for by OAF1 adjustments) are largely captured within WTP areas and may be considered as accounted for in WTP reductions.

Regeneration Delay

Three forest industry submissions express concern with the regeneration delay to be used in the analysis. Bell Pole and SCI-Terrace note a discrepancy in the *Data Package*, where the

discussion refers to one-year-old stock being planted 1.02 years after harvest, yet the table uses a five-year regeneration delay for hemlock- and balsam-leading stands. SCI-Carnaby says the regeneration delay should be 0 years on all analysis units.

Silvicultural Systems

Three issues are raised by the forest industry submissions.

The first is the description of the extent of various silvicultural systems applied in the TSA. Bell Pole says the proportion of non-clearcut areas may be biased by the drastic reduction in harvesting by major licensees since 1997 and the fact that small business operations may use non-clearcut systems more frequently. SCI-Carnaby says that all current silvicultural prescriptions should be reviewed, as well as the harvesting history from 1996-1998.

The second issue is density control and spacing. SCI-Terrace says an initial density of 3,000 stems per hectare (sph) spaced down to 1600 sph is far too conservative, noting that the biggest problem in the TSA is the decadent timber supply and the need to get second growth to a merchantable size as soon as possible. The company says initial densities should be reduced where possible and future stand entries should reduce densities to a much lower level (1,000 sph or less). SCI-Carnaby says the statement that licensees will only space when density exceeds 10,000 sph needs to be confirmed with licensees to accurately reflect current management.

The third issue concerns immature plantation history. SCI-Carnaby says the analysis should include the effect of increased management on stands older than 20 years, rather than just the effect of less management.

Green-up Ages

Bell Pole and SCI-Carnaby express the opinion that the green-up ages used in the *Data Package* seem excessively high, which Bell Pole says could be verified by an analysis of silviculture and green-up survey data that is readily available.

The two companies also question the green-up ages for "landscape units—water quality." Bell Pole questions the validity of the information but says there's inadequate discussion provided to allow for comment. SCI-Carnaby stresses that there are no landscape units in place, only drafts, and questions the assumption that green-up ages increase significantly from southwest to northeast (Table 22d).

Visual Quality

SCI-Carnaby says visual quality objectives do not account for remoteness and green-up ages of up to 44 years do not seem logical. The company says height may not be the best measure of visual green-up, and suggests that crown closure be analyzed as an alternative.

Riparian Management

Bell Pole makes several comments on assumptions relating to riparian management, including the following:

- there appears to be inconsistency between the riparian reserve width of 25 metres for S2 streams versus the 30-metre Forest Practices Code requirements.
- was the 1999 GIS analysis applied on a representative sample of the TSA; this is important given the influence of climate and topography on the physical location and extent of riparian areas.
- further analysis is needed regarding duplication of removals due to overlap between riparian areas and WTPs.

SCI-Carnaby notes that the District Operating Procedure for riparian management was not agreed to by the TSA steering committee.

Watershed Management

Bell Pole questions how the maximum allowable disturbance figures were derived for watersheds, both for community watersheds and for landscape units—water quality.

SCI-Carnaby makes the following points with regard to landscape units—water quality:

- there are no landscape units in place, only drafts.
- it seems that community watersheds are less constrained than these units.
- Table 22a indicates a 15 per cent maximum allowable disturbance whereas the text indicates a 22 per cent equivalent clearcut area.

Wildlife Tree Patches

Three forest industry submissions raise a number of issues regarding WTPs. The most frequent concern is confusion around distinguishing between WTP areas reserved for wildlife objectives versus WTP areas reserved for riparian, terrain stability, operability or other objectives. The companies say there's a likelihood of duplicate reductions and that area reporting of WTPs is not adequate for timber supply analysis needs. SCI-Carnaby says the lack of clarity in WTP figures may reflect improper terminology; for example, accessible "WTPs" in excess of three per cent could be described as short-term deferrals, harvestable at green-up of the surrounding area. SCI-Terrace says if there's difficulty in determining how much area set aside for WTPs is operable or has already been removed through other netdowns, this analysis provides an opportunity to clarify and improve this process.

Other comments from the forest industry submissions include:

- the 10.9 per cent netdown for WTPs should not be used; further analysis is needed.
- it's premature to use the *Landscape Unit Planning Guide* recommendation of three per cent WTP retention, as landscape units haven't been designated and objectives established. A target retention of six per cent may be more appropriate and better reflect current management practices.
- productivity within WTPs is lower than outside them, so there is only a partial correlation with timber supply impacts.
- WTP area should be based on gross cutblock area, not net.
- the biodiversity District Operating Procedure should be analyzed to determine its impact.

An individual submission says there's no mention of moose populations, which are not indigenous but have migrated to the TSA since tree harvesting began to open areas for them.

Landscape Level Biodiversity

Bell Pole notes the reference to the Kispiox Land and Resource Management Plan (LRMP) requirement of 12 per cent old-growth retention and says this is not an LRMP requirement but a strategy to achieve the biodiversity objectives that are themselves the binding requirements of the LRMP. The company says using the 12 per cent constraint on the Crown forested land base may not be appropriate for this analysis. Bell Pole also notes that ongoing landscape unit planning may be considered an alternative strategy to the 12 per cent retention and may be inappropriately considered an additional constraint.

SCI-Carnaby questions the rationale for considering that only areas with greater than 70 per cent retention will contribute to old-growth requirements.

Land-Use Planning

SCI-Terrace and SCI-Carnaby take issue with references to the "requirements" of the Kispiox LRMP and the Babine Land and Resource Use Plan. The companies say the "requirements" are invariably "strategies" which are not part of

any higher level plan but are simply possible tools for meeting an objective. SCI-Carnaby says netting down the timber harvesting land base to reflect strategies is inappropriate and should be reversed.

Harvest Sequence and Deferrals

SCI-Carnaby says more primary forests need to be harvested early, so more forest land can come under management and become a source of higher value second-growth timber, resulting in a more stable and more efficient forest industry. The company also says the 10-year harvest restriction for the Atna/Shelagyote area should be removed, as there is a forest development plan proposal under discussion.

Unsalvaged Losses

An individual submission says that when unsalvaged loss figures become available, an immediate review is required. This individual notes that salvage operators are frustrated by bureaucracy and limited supervisory resources.

Socio-Economic Factors

Three submissions comment on statements made in the *Information Report* regarding the TSA's economy. They make the following points:

- the TSA economy is not well-diversified, but is very dependent on the forest industry. Almost all companies operate under an economic plan, and poor quality timber, high costs and poor markets have resulted in reduced activity and employment, and increased foreclosures of businesses relying directly or indirectly on the forest sector.
- because of high community dependence on the forest industry, the employment multipliers should be larger than those used by the ministry of finance and corporate relations. For example, the Coast Forest Lumber Association suggests a ratio of four jobs/1000 cubic metres of AAC, and the Kalum LRMP uses two jobs/1000 cubic metres.
- forestry jobs are not comparable to tourism jobs, as the latter are very low-paying and seasonal.
- the five per cent population growth since 1996 will likely be reversed due to the area's dependence on an unreliable forest sector.
- the estimate that 31 per cent of the jobs created by timber harvesting/processing in the TSA are located outside the TSA appears to indicate an imbalance in the supervisory-to-worker employment ratio.
- Kispiox Forest Products did not resume operations in October, 2000, as anticipated by the *Information Report*, and they will likely have financial difficulties if/when they do open.

Timber Supply Area Analysis Report

Operable Land Base

Philpot Forestry Services Ltd. (Philpot) says there appears to be no exclusion for areas that are physically operable and have acceptable volumes, but have such low sawlog content or require such expensive development and long hauls that the economics do not allow a profitable operation. The company says there are numerous stands within the Kispiox district that are economically operable only at peak market periods and only for a short time, and so they are generally avoided. Including these low-value stands in the timber supply analysis means that better stands are proportionately more rapidly depleted and the timber profile is continually degraded, according to this submission.

Environmentally Sensitive Areas

Bell Pole Company says the netdown of 95 per cent for potentially unstable terrain (Terrain Class IV) is grossly excessive and has been determined improperly. Basing the netdown on the fact that only five per cent of

potentially unstable terrain within the timber harvesting land base (THLB) has been harvested fails to consider that there remains a large portion of the THLB that has not been harvested, according to the company. Bell Pole says a more appropriate procedure would be to estimate the amount of potentially unstable terrain harvested to date as a proportion of the potentially unstable terrain within the total area harvested to date.

Bell Pole says a review of their harvesting indicates that potentially unstable lands are typically harvested by cable-based systems, and are generally constraining only to road location and construction.

Site Productivity and Volume Estimates

Philpot says they strongly agree that site index has been underestimated for old coniferous stands.

Bell Pole says the volume increase attributed to the use of class A pine seed should not be fully discounted due to pest problems associated with pine. The company says at the very least the effects of improved seed progeny with regard to forest health factors (e.g., fewer losses attributed to pine pests) should be considered.

Regeneration Delay

Bell Pole says the assumption of a regeneration delay of five years for hemlock and medium- and poor-quality balsam stand types seems quite inappropriate. The rationale that these stand types will demonstrate natural ingress and release of natural stock and will thereby convert to hemlock and balsam implies that the natural stock is outperforming the planted stock, which does not mean a setback in the stand regeneration schedule, according to this submission. The company notes this assumption has compounding implications to many factors in the analysis and it should be reviewed.

Forest Cover Requirements

Bell Pole questions the statement in the *Analysis Report* that the Kispiox LRMP requires that a maximum of 15 per cent of the stands in the total forested area of each landscape unit be less than six metres tall. Rather, the company says, the LRMP says that on average, no more than 22 per cent of the forested land in a watershed will be in a hydrologic condition equivalent to a clearcut.

Using the ministry of forests' methodology, Bell Pole calculates that a constraint of 32 per cent of the THLB less than nine metres tall is consistent with the 22 per cent equivalent-to-clearcut strategy. Noting that the same issue also occurs in the consideration of requirements within community watersheds, the company says this may be a very important flaw in the analysis and should be carefully reviewed.

Riparian Management

Philpot says the timber supply analysis underestimates the area of land that should be excluded from harvesting as Riparian Reserve Zones (RRZs), particularly for small streams (S5 and S6). Although the Forest Practices Code does not require RRZs for S5 and S6 streams, Philpot says this is current practice, based on their experience over the last eight years. The company estimates that for the last 20 silviculture prescriptions they've prepared, the reserves (RRZs and WTPs) total 24.4 per cent of the gross cutblock area.

Philpot maintains more attention is needed for these small streams, as well as small wetlands, as they are very important habitat for many organisms and have significant downstream effects on water turbidity, chemistry and temperature. A greater exclusion for RRZs is needed, according to this submission.

Wildlife Tree Patches

Bell Pole says it is excessive and inappropriate

that the THLB has decreased by 32,180 hectares due to unharvested retention (WTPs and other reserves) within cutblocks. The company makes the following points:

- higher levels of retention have been prescribed in the recent past in order to compensate for lower levels of retention historically.
- the assumption of no harvesting in WTPs may not be true, due to forest health concerns or changes in objectives due to the establishment of landscape unit objectives.

Bell Pole recommends a longer-term average retention level be used or the *Landscape Unit Planning Guide*'s average target for the TSA could be considered to reflect current management practices.

Harvest Flow

Bell Pole notes that the *Analysis Report* says it's possible to achieve a higher initial harvest level if a 12 per cent rate of decline per decade were applied, rather than 10 per cent. The company says if the AAC is to be reduced, this higher rate of decline should be considered, as influenced by the status and needs of the industry within the TSA in the short term.

Unsalvaged Losses

Bell Pole says the *Analysis Report* presents a significant volume reduction for unsalvaged losses, but there's been no attempt to differentiate between endemic and epidemic losses. The company says no rationale is provided as to why Tomentosus root disease has been elevated from being an endemic agent to a catastrophic one, and raises several questions about the Tomentosus study. With regard to the balsam bark beetle, Bell Pole says the use of the last 10 years' historical records ignores the premise that the rate of incidence of attack has risen sharply only recently.

Bell Pole recommends that the chief forester consider the potential flaws in the conclusions drawn from the available information, and also the limited opportunity provided for review of this information due to its late inclusion in the Timber Supply Review process.

Socio-Economic Factors

A submission from Skeena Cellulose (Carnaby and Smithers) and Kitwanga Lumber Company says the socio-economic analysis section lacks important information about the undercut. The reasons given in the analysis are limited to mill closures, but this submission questions if the undercut is due to:

- the current economic policies of the ministry of forests;
- economic disparities between licensees with regards to operating areas; and/or
- the marginal conditions present in the northern stands, caused by poor wood quality and high operating costs.

The companies say mill closures are symptoms of a poorly functioning system, rather than the reason for reduced harvest levels. They maintain that unless regulatory and/or policy changes occur and the ministry of forests' valuation system is changed, licensees' ability to operate or sustain a business will be jeopardized.

First Nations and Cultural Heritage Resources

The submission from the Office of the Wet'suwet'en says that they do not agree with the Timber Supply Review process, particularly since they do not feel their input to other processes has been taken seriously. They say the economic needs of the forest sector are given priority and that inadequate funding and increasingly "streamlined" regulatory controls have reduced their ability to influence the management of natural resources or the protection of their traditional uses, in a manner that reflects their vision.

The Wet'suwet'en estimate that 60 per cent of their cultural heritage has been destroyed by development activities, and say the loss of forested areas (particularly low-elevation forests in the northern half of their territories) has significantly affected their culture. The Wet'suwet'en say they wish to first inventory their remaining cultural heritage, and then appropriate levels of management for both timber harvesting and their cultural heritage can be determined.

The submission from the Gitxsan Treaty Office provides extensive detail on the analysis they conducted to test whether the forests in the Kispiox TSA have been overcut and highgraded in the past and whether, as a result, the remaining forest has greatly reduced commercial viability. This submission says they conclude that the Province has likely infringed on the Gitxsan Houses' aboriginal rights and title by failing either to set an AAC that reflects the timber profile being used by licensees or to regulate the cut so it matches that profile. They believe that this has resulted in a degraded forest that may have insufficient viable timber for the Gitxsan Houses to develop a sustainable, self-sufficient economy in the future.

The submission from the Gitxsan Treaty Office says that to prevent such infringement continuing, the chief forester must consult with the Gitxsan to ensure that:

- an interim AAC is set immediately to stop further infringement;
- joint research occurs to produce an inventory of timber quality and a means of monitoring the depletion of that inventory by quality class on each House territory;
- consultation occurs to decide how the Province's ongoing obligation to consult and seek accommodation with the Gitxsan can be accomplished; and,
- as soon as the above research and consultation is completed, a new AAC is determined.

The Gitxsan Treaty Office notes that by engaging in the above consultation process, the Gitxsan Houses do not waive any rights to compensation that may arise from past infringements of their rights and title due to forest degradation by the Province.

In a meeting with Kispiox district staff, the Gitxsan chiefs express an interest in protecting cedar and also obtaining wood for shelter in their House territories.

Other Comments

Many submissions comment on factors or issues other than those specifically covered by Timber Supply Review documents. These comments are summarized in this section.

Timber Supply Review Process

SCI-Terrace and SCI-Carnaby say that landscape units are still draft, do not reflect current management, and should not be used in the base case. SCI-Carnaby expresses concern that only the ministry of forests' draft landscape units are proposed for analysis, with no mention of the alternate units submitted in 1999.

Both companies also say the general tone is of increased constraints, resulting in an overly conservative base case. SCI-Terrace says the *Data Package* has prejudged some of the uncertainties and issues by incorporating them into the base case. SCI-Carnaby also notes a lack of consistency in the time periods used for gathering base data, and submits detailed questions and recommendations regarding a number of sensitivity analyses.

The Gitxsan chiefs, based on approved minutes from a meeting with district staff, raise various concerns and questions about the Timber Supply Review process. These include:

- a request for a meeting with the chief forester, and the opportunity to attend the AAC determination meeting.
- what is the role of the chief forester? For example, is his mandate to make money? Does he consider First Nations' unknowns?
- First Nations are using a different model for forest management activities, based on House territory boundaries, and suggest the chief forester consider this model as a reason to do a new analysis.
- why aren't the Gitxsan mentioned on the list of reasons why the AAC may change?

Harvest Levels

Philpot Forestry Services says it is poor management to calculate an AAC based on the total operable land base when a significant proportion is economically operable for only short and sporadic periods of time. The company makes the following recommendations:

- low-value stands should be identified through economic appraisal of costs and potential values, and the AAC reduced accordingly.
- these low-value stands should be classified as "opportunity wood" with a second AAC to be used only when economics justify operations in these stands.

The submission from Skeena–Cellulose/Kitwanga Lumber says a reduction in AAC may be justified, based on the assumptions used and the reduction in land base due to parks and harvest restrictions. However, the companies express the opinion that much of the anticipated reduction could be offset by use of more realistic site productivity values for older stands.

Apportionment and Tenures

K'Shian Logging and Construction says they have a secure market for cottonwood and wish to apply for approval to cut about 15,000 cubic metres per year from the TSA through various licences, as well as obtaining some from private land. The company says this long-term market opportunity will help small business owners and create employment in the Kitwanga, Kispiox and Hazelton areas.

The Gitxsan Chiefs question why there are so few woodlots and ask how their AACs are established.

Appendix 1

Submissions received by the Kispiox Forest District

Submissions received on the Data Package

Forest industry

Bell Pole Company
Skeena Cellulose Inc. – Terrace Operations
Skeena Cellulose Inc. – Carnaby Operations

General public

One individual submission

Submissions received on the Timber Supply Analysis Report

First Nations

Office of the Wet'suwet'en
Consultation meeting with Gitxsan Chiefs (approved minutes)
Gitxsan Treaty Office

Forest industry

Bell Pole Company
K'Shian Logging & Construction Ltd.
SCI Carnaby and Smithers; Kitwanga Lumber Co.

Consultants

Philpot Forestry Services Ltd.